

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In The Matter Of:)
Pamela Alisah Covington) Case Number 16-43213-659
)
Debtor,) Chapter 13
)
Home Point Financial Corporation)
)
Creditor,)
)

**RESPONSE TO OBJECTION TO CLAIM 1, OF HOME POINT FINANCIAL,
FILED BY THE CHAPTER 13 TRUSTEE**

COMES NOW Creditor, Home Point Financial Corporation (“Home Point”) by and through its attorney of record, responds to the Objection to Home Point Financial Corporation’s Proof of Claim filed by the Chapter 13 Trustee as follows:

1. Creditor denies the allegations of Paragraph 1.
2. On February 29, 2019, Trustee’s motion to dismiss Debtor’s case for failure to turnover tax refunds was granted. See Docket Entry 39.
3. This order was served to Home Point and therefore they believed they were no longer entitled to repayment by the Chapter 13 Trustee, and that no bankruptcy existed.
4. On March 1, 2019, Debtor filed a motion to set aside the order dismissing her case. See Docket entry 41.
5. On March 8, 2019, the Trustee filed an objection to the motion to set aside, and on March 26, 2019, an order denying Debtor’s motion to set aside was entered. See Docket Entries 42 and 43.



6. This further enforced Home Point's belief that they were not entitled to payment by the Chapter 13 Trustee and no bankruptcy existed.

7. On April 17, 2019, Debtor filed a motion to reconsider and this motion was subsequently granted, reinstating Debtor's case. See Docket Entries 46 and 52.

8. However, in the interim, before Debtor's case was reinstated, Home Point returned funds that they did not think they were entitled to, to the Trustee, and the Trustee filed objections to their claim on March 27, 2019 and April 18, 2019. See Docket Entries 44 and 47.

9. It should be noted that the March 27, 2019, objection to claim was subsequently withdrawn by the Trustee on May 9, 2019. See Docket Entry 50.

10. Moving forward, Home Point should now accept payments as they understand that the Debtor's case has been reinstated.

WHEREFORE, Creditor requests that the Court overrule the objection filed by the Chapter 13 Trustee and issue an Order allowing said claim as filed and for such other and further orders as the Court deems just and proper.

June 26, 2019

Respectfully Submitted,
Millsap & Singer, LLC

/s/ Christopher D. Lee

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically on June 26, 2019, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court pursuant to CM/ECF as set out on the Notice of Electronic filing as issued by the Court or in the alternative has been served by depositing a true and correct copy of same enclosed in a postage prepaid, properly addressed envelope, in a post office official depository under the exclusive care and custody of the United States Postal Service within the state of Missouri on those parties directed by the Court on the Notice of Electronic Filing issued by the Court as required by the Federal Rules of Bankruptcy Procedure and the Local Rules of the United States Bankruptcy Court.

/s/ Christopher D. Lee

Electronic Mail Notice List

The following is the list of attorneys who are currently on the list to receive e-mail notices for this case.

Sandra Moore-Dyson

Diana S. Daugherty

Office of the United States Trustee

Manual Notice List

The following is a list of parties who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

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